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Dated: May 13, 2004

Signature:

  
(Tram Anh T. Nguyen)

Docket No.: 102164-0032  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Andrew H. Fischer

Application No.: 10/775,767

Filed: February 10, 2004

For: METHOD AND APPARATUS FOR  
PREPARING CELLS FOR MICROTOME  
SECTIONING AND ARCHIVINGNUCLEIC  
ACIDS AND PROTEINS

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

### INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached copies of PTO Form 1449. In accordance with 37 CFR §1.98(d), copies of the references are not submitted herewith insofar as they are all believed to be in the Examiner's file already. The references were previously cited in United States Patent Application No. 10/697,993 filed on October 30, 2003 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publications are prior art. Moreover, the Applicant understands the Examiner will make an independent evaluation of the cited publications.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Dated: May 13, 2004

Respectfully submitted,

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Substitute for form 1449A/B/PTO				Complete if Known	
				Application Number	10/697,993-Conf. #7398
				Filing Date	October 30, 2003
				First Named Inventor	Andrew H. Fischer
				Art Unit	1641
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	102164-0029

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AA	US-4,557,903	12-10-1985	McCormick		
AB	US-4,569,647	02-11-1986	McCormick		
AC	US-4,656,047	04-07-1987	Kok et al		
AD	US-5,080,869	01-14-1992	McCormick		
AE	US-5,137,710	08-11-1992	Smalley et al		
AF	US-5,269,671	12-14-1993	McCormick		
AG	US-5,665,398	09-09-1997	McCormick		
AH	US-5,817,032	10-06-1998	Williamson, IV et al		
AI	US-5,928,934	07-27-1999	McCormick		
AJ	US-6,207,408 B1	03-27-2001	Essenfeld et al.		
AK	US-6,395,234 B1	05-28-2002	Hunnell et al.		
AL	US-6,413,767 B1	07-02-2002	Izvoztchikov et al.		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
					T <sup>6</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

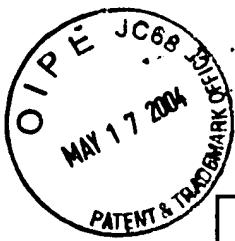
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	BA	DIAZ-ROSARIO, Luis A. et al, "Cell Block Preparation by Inverted Filter Sedimentation is Useful in the Differential Diagnosis of Atypical Glandular Cells of Undetermined Significance in ThinPrep Specimens," <i>Cancer</i> , 90(5): 265-272 (2000).			
	BB	FAHEY, Colleen et al, "Collodion Bag: A Cell Enhanced Cell Collection," <i>Laboratory Medicine</i> , 74(2): 94-96 (1993).			
	BC	SRINIVASAN, Mythily et al, "Effect of Fixatives and Tissue Processing on the Content and Integrity of Nucleic Acids," <i>American Journal of Pathology</i> , 161(6): 1961-1971 (2002).			
	BD	YANG, Grace C.H. et al., "Use for Body Fluids, Fine Needle Aspirations and Endometrial Brush Biopsies," <i>Acta Cytologica</i> , 42(3): 703-706 (1998).			

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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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Examiner Signature	Date Considered
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PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/B/PTO				<b>Complete If Known</b>	
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				Filing Date	October 30, 2003
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<b>U.S. PATENT DOCUMENTS</b>					
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		Number-Kind Code <sup>2</sup> (if known)			
		US-2,923,669	02-02-1960	Poitra	
		US-4,604,964	08-12-1986	Gordon et al.	
		US-5,354,370	10-11-1994	Schmehl	

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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
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Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			

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Examiner Signature		Date Considered	
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